



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 113th CONGRESS, SECOND SESSION

Vol. 160

WASHINGTON, WEDNESDAY, SEPTEMBER 10, 2014

No. 129

House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. DUNCAN of Tennessee).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
September 10, 2014.

I hereby appoint the Honorable JOHN J. DUNCAN, Jr. to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 7, 2014, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

AFFORDABLE CARE ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, I have stepped away from a Ways and Means Subcommittee on Health to come to the floor. The purpose of that hearing is once again to attack the Affordable Care Act, criticisms of CMS, and to lay the foundation for the Republican goal of repealing the Act entirely.

I have frankly lost track of the number of attempts to repeal the bill.

Fifty? Sixty? You know, it really doesn't matter. The Affordable Care Act is here to stay and will be throughout the tenure of President Obama.

Despite some difficulties in its implementation, the President is justly proud of the health care reform as a signal accomplishment of his administration. Many of the problems that we are facing in the implementation of the act have been as a result of Republican intransigence.

Remember, despite the fact that the legislation embodies most of what had been bipartisan principles—indeed, those strongly advocated by Republicans over the last 20 years or more—there was unrelenting opposition.

Republicans in the Senate refused to cooperate and refused to legislate, denying the 60-vote threshold necessary to move the bill forward. As a result, the bill was adopted through a process called reconciliation, where you just melded the two bills together.

The result was not a bill that anybody would have designed, but it easily could have been made better, should our Republican friends have chosen. Instead, they have continued this unyielding assault.

Even without their assistance, the results are pretty remarkable. We have the lowest rate of medical inflation in years. The Congressional Budget Office has consistently now been lowering the long-term cost estimates for Medicare.

This is probably the most powerful evidence yet that we are getting runaway health care costs under control, which was and remains the greatest single threat to the fiscal stability of our country.

We have been doing much more than merely controlling costs. There are more than 8 million people with marketplace insurance, and about three-quarters of them receive tax credits to help reduce the cost. Six million low-income people have been enrolled in Medicaid. Another 6 million children

have been able to stay on their parents' health plans.

129 million—Americans, I daresay that includes most of us in Congress—can no longer be denied care because of preexisting medical conditions.

As I said, there is lots that can be done to improve the system. Today, I had a chance to address the Case Management Society of America about one of them. Congressman PETRI of Wisconsin and I have introduced a transitional care benefit that would greatly reduce the chance of hospital readmissions that are not just costly, but they represent a failure to deliver health care to our citizens and reduce the stress and strain on families with loved ones who have left the hospital. This could save billions of dollars and frankly doesn't remotely depend on whether or not you support ObamaCare.

Another great example is legislation that Dr. PHIL ROE of Tennessee and I have introduced, dealing with the Federal Government finally placing a value on the conversation with patients and their families for conditions surrounding the end of life.

There is value-based insurance, which I am cosponsoring with Representative BLACK of Tennessee. Representative ROSKAM of Illinois has the PRIME Act to deal with Medicare fraud. Representative GERLACH of Pennsylvania for several years has had legislation for a secure access card.

The list of opportunities is long and represents an extraordinary chance to build on reform, not just a futile effort at undermining it.

Someday, the American public is going to insist that we grow up and do our jobs, and there would be no better place to start than in building on the promise of health care reform not just to save money, but to improve the lives of Americans of all ages.

The hypocrisy here is breathtaking: refuse to legislate and then attack it for its faults; starve the IRS and CMS

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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of resources to properly administer the law and then complain that the IRS and CMS are not properly administering it.

The American public has a right to expect better from the people's House. Someday, they will get it.

INNOCENT UNTIL PROVEN GUILTY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Michigan (Mr. WALBERG) for 5 minutes.

Mr. WALBERG. Mr. Speaker, although criminal forfeiture laws have been an important tool and a useful tool for law enforcement, civil asset forfeiture has been used too many times to seize, forfeit, and indeed profit off the property of Americans without even charging them with crimes—innocent until proven guilty.

The activity can be a boon for police budgets, as the Federal asset forfeiture fund exceeded \$2 billion in 2013 and equitable sharing agreements between the Department of Justice and local police departments accounted for over \$600 million.

While policing certainly is a vital element of an effective society, let's also be mindful of the fact that our Constitution emphasizes individual rights above all. For this reason, I introduced H.R. 5212, the Civil Asset Forfeiture Reform Act, to limit the scope, the power, and the reach of the government to abuse their forfeiture powers in violation of individual rights guaranteed to us by our Constitution.

I urge all my colleagues to support this needed reform effort and to again assure our citizens of their civil liberties and the opportunity to defend innocence or prove guilt.

IMMIGRATION

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. GUTIÉRREZ) for 5 minutes.

Mr. GUTIÉRREZ. Mr. Speaker, my press secretary has kept me pretty busy the last few days, talking about the President's decision to delay executive action on immigration, in two languages. I made it clear that from a political standpoint, in the short run and the long run, I think the President should have taken action before election day in order to be more transparent with the American people about the policy we all know is coming.

It makes the job harder for me to generate enthusiasm among Americans to vote at all, let alone enthusiasm for voting for Democrats when there are members of my own party asking the President to hold his pen and his phone in abeyance until after the voters vote.

From a policy standpoint, every week we delay is bad for our country. From a humanitarian perspective, deporting the parents of U.S. citizens is not in our national interest. Making it impossible for spouses of legal immigrants and citizens of the United States to pick up the visas that have

already been issued to them is not in our national interest.

Keeping the fear of deportation hovering over immigrant communities, like Pilsen and Little Village in my district in Chicago, has a damaging impact on the fabric of our community. It dampens the economy along commercial thoroughfares, like 26th Street, a key engine of the Chicago economy and tax base.

Perhaps more important to those living outside of immigrant communities is to know that when the President acts, he will announce a tough but fair solution for millions of immigrants who do not have visas or any way of getting visas, but who have lived and worked here peacefully for years, even decades.

It would work something like this: if they come forward, if they submit their fingerprints at their own expense to the FBI, and if they pass a rigorous criminal background check and meet other requirements, we will issue them a biometric identification card that says that they are not a priority for deportation.

Not only do we get them in the system and on the books, but now they are in a program that needs to be renewed periodically with strict rules. This creates a huge incentive not to violate the rules of the program or the rules of our society.

I know the President has heard all of these arguments, and I don't think I will convince him to change his mind again and move forward with key improvements to our deportation policies before November 4, but let us be clear, I think he has already made two important decisions.

Number one, there is no longer any question that the President of the United States has the legal authority to act on immigration and deportations under current law. Even Republicans who have hired the best lawyers at taxpayers' expense to prepare their lawsuits against the President agreed and didn't include immigration in their farfetched list of Presidential "overreaches."

This is settled law, and despite the shouts of talk radio and a few on the Republican side, there is no real serious debate about the rock-solid legal ground from which the President can act and has already acted.

Secondly, I know the President has decided going big, going broad, going generous, and going quickly after the election is the right decision because he and Secretary Jeh Johnson have to set enforcement priorities about which people they will deport first and which people they will deport last based on national security and economic interests of this country.

He will act up to the limits of current law, and believe me, I can hear the cries from the other side, "He can't act because we, Republicans, may try to do something on immigration in the lame-duck. The President can't act because we, Republicans, are going to put the

bipartisan coalition back together again in the new 114th Congress, and we will get reform passed in both Houses; or, you know, we were just kidding when we said all that stuff about immigration after our defeat on election day in 2012."

They will say, "This time, we really mean it because 2016 and the electoral college are staring us in the face"—but no, I know the President and the Democrats will not fall for that again.

I don't see the President saying he will act if you don't act, as we have been saying for 2 years. This time, I see the President acting first, acting broadly, and acting generously, laying out a broad array of executive actions to mitigate the damage that is being done to our country by congressional inaction on immigration reform.

If the Republicans are so inclined, they can take legislative action. It is what we have been begging them to do for two decades on this issue. We may even work with you if you are serious about it, but it will no longer be accepted as a delaying tactic for action by the executive branch of government. It will be a response to Presidential action.

I think the President will have the courage to act, and then it is Congress' chance to act.

THE RETIREMENT OF BILL SCHWERI

The SPEAKER pro tempore. The Chair recognizes the gentleman from Kentucky (Mr. ROGERS) for 5 minutes.

Mr. ROGERS of Kentucky. Mr. Speaker, I rise today to pay tribute to a dear friend of southern and eastern Kentucky, Mr. Bill Schweri, upon his retirement as the director of Federal Relations at the University of Kentucky.

During his 42 years at the university, Bill has been a champion for progress in education, health care, and energy research across the State. Behind the scenes of Kentucky's highly esteemed flagship university, Bill has been a driving force, seeking out partnerships, programs, and funding to help the most distressed region of the Commonwealth. I am certain there is not a single resource that Bill hasn't researched for the benefit of southern and eastern Kentucky.

No one knows the value and power of creating and sustaining longtime partnerships like Bill. If the University of Kentucky needed a partner to improve education or access to health care, Bill ensured the connection was secured with his genuine, kind, and humble approach.

Most leaders seek recognition or credit for their own efforts, but that has never been the case with Bill Schweri. His work has led to exponential growth of UK's research enterprise and jump-started new research initiatives that have enabled the university to be successful in competing for Federal grants and contracts.